

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

Savannah Division

FILED
U.S. DISTRICT COURT
SOUTHERN DIV.

United States of America

v.

Derrick Antwan Sallen

Date of Previous Judgment: August 7, 2003

(Use Date of Last Amended Judgment if Applicable)

2009 MAY -7 AM 11:36

)
) Case No: CR403-00052-001K *7/16/09*
) USM No: 11470-021 SO. DIST. OF GA.
) Julian Toporek
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

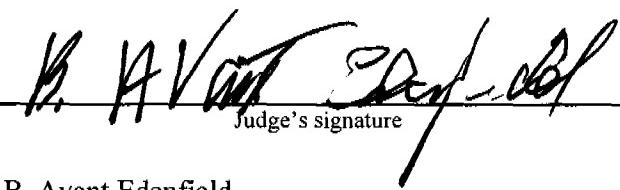
I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 31Amended Offense Level: 29Criminal History Category: VCriminal History Category: VPrevious Guideline Range: 168 to 210 monthsAmended Guideline Range: 140 to 175 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
 The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
 Other (explain): _____

III. ADDITIONAL COMMENTS

In accordance with the required review of the sentencing factors set forth in 18 U.S.C. § 3553(a), the Court denies the defendant's request for a sentence reduction. The defendant, who is a young man, has a horrible criminal record. His prior convictions include a residential burglary, an aggravated assault, and two armed robberies. Since being incarcerated for the instant offense, the defendant has committed numerous violations, including engaging in sexual acts on seven separate occasions and setting fires on five different occasions. He poses a risk to the citizens of this country and the Court will protect the public from further crimes of the defendant as long as possible.

Except as provided above, all provisions of the judgment dated August 7, 2003, shall remain in effect.

IT IS SO ORDERED.Order Date: 5-7-09


Judge's signature

Effective Date:

(if different from order date)

B. Avant Edenfield
 United States District Judge
 For the Southern District of Georgia

Printed name and title